

INITIATIVE 702

I, Ralph Munro, Secretary of State of the State of Washington and custodian of its seal, hereby certify that, according to the records on file in my office, the attached copy of Initiative Measure No. 702 to the People is a true and correct copy as it was received by this office.

1 AN ACT Relating to labor unions; and adding new sections to chapter
2 49.36 RCW.

3 BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** Bill of rights for members of labor
5 organizations. Any labor organization operating in the state shall
6 include in its constitution provisions guaranteeing members of the
7 organization the following democratic rights:

8 (1) Right to free speech and assembly. All members have the right
9 to meet and assemble freely with other members, and to express any
10 view, argument, or opinion inside and outside meetings of the labor
11 organization, about policies or activities of the organization, and
12 about officers or candidates for election to office in the
13 organization;

14 (2) Right to equal participation. All members have equal rights
15 and privileges within the organization to nominate candidates; to vote
16 in elections, referendums, and on the approval of collective bargaining
17 agreements; to attend meetings convened at least every three months;
18 and to participate in the deliberations upon and voting on the business

1 of such meetings, subject to reasonable rules and regulations provided
2 in the constitution;

3 (3) Right to know. All members have the right to be fully and
4 fairly informed on all matters subject to vote by the members, and all
5 members shall have full and fair opportunity to present their views on
6 such matters;

7 (4) Right to fair procedures. No member or officer may be fined,
8 suspended, expelled, or otherwise disciplined or disadvantaged for any
9 conduct other than nonpayment of dues unless he or she has been: (a)
10 Served with specific charges; (b) given reasonable opportunity to
11 prepare a defense; and (c) afforded a full and fair hearing before an
12 impartial tribunal;

13 (5) Right to fair representation. All members have the right to be
14 fairly and equally represented in the negotiations of collective
15 agreements, to have their meritorious grievances fairly processed, and
16 to have their rights under a collective agreement enforced; and

17 (6) Right to vote on collective agreements. All members have the
18 right to vote on collective agreements applicable to their conditions
19 of employment, to be fully and fairly informed of the contents of the
20 proposed collective agreement, and to present their views on the
21 proposed agreement.

22 NEW SECTION. **Sec. 2.** Direct membership election of officers and
23 representatives processing grievances. Any labor organization
24 operating in this state shall provide in its constitution that election
25 of its officers, and those representatives who process grievances,
26 shall be by secret ballot among the members of their respective
27 constituencies. The constitution of local labor organizations and
28 intermediate bodies, such as general committees, system boards, joint
29 boards, or joint councils shall provide for the direct election of
30 officers and of such representatives not less often than once every
31 three years, and the constitution of national or international labor
32 organizations shall provide for the direct election of officers and of
33 such representatives not less often than once every five years.

34 NEW SECTION. **Sec. 3.** Fair and open elections. Constitutional
35 provisions concerning the conduct of elections shall contain provisions
36 guaranteeing every candidate a full and fair opportunity to campaign
37 for office and guaranteeing that the election will be fair and honest.

1 The constitution shall provide for the following rights of candidates
2 and standards:

3 (1) The rights, protections, and standards set forth in section 401
4 of the Labor Management Reporting and Disclosure Act of 1959;

5 (2) The right of every candidate to have a fair and equal
6 opportunity to present himself or herself and views in any publications
7 circulated at the expense of the labor organization;

8 (3) The right of any group, caucus, or party, showing support of at
9 least five percent of the membership to have mailed at its expense and
10 at the time it so designates any literature to the members of the labor
11 organization; and

12 (4) The right of any group, caucus, or party presenting candidates
13 to have its candidates identified as a slate on the ballot.

14 NEW SECTION. **Sec. 4.** Accountability of officers of the labor
15 organization. Any labor organization operating in the state shall
16 include in its constitution provisions requiring its officers and
17 representatives to be accountable to its members in the conduct of its
18 affairs, including provisions for the following:

19 (1) Funds and assets of the organization shall be used for the
20 purposes of the labor organization and in accordance with the
21 authorization of its members;

22 (2) Officers and other representatives or agents of the
23 organization have fiduciary obligations toward the labor organization
24 and to avoid conflicts of interest with the organization;

25 (3) Each member shall be provided at least once every year a
26 financial report showing all assets, sources, and amounts of income and
27 expenditures as required by Title II of the Labor Management Reporting
28 and Disclosure Act of 1959; and

29 (4) Each member has the right, upon showing of proper cause, to
30 inspect the financial records and other papers, books, and records of
31 the organization and to be given copies of the organization's
32 constitution and bylaws and any collective bargaining agreement
33 applicable to the member's terms and conditions of employment.

34 NEW SECTION. **Sec. 5.** The term "labor organization" includes any
35 membership organization of public or private employees that engage in
36 or exercise substantial control over negotiation or administration of
37 collective agreements, establishing membership dues or expenditure of

1 organization funds, and any organization or body that has chartered a
2 local or subsidiary body that engages in such activity.

3 NEW SECTION. **Sec. 6.** Labor organizations shall comply with the
4 requirements of sections 1 through 6 of this act by January 1, 2004, or
5 within ninety days after any convention or meeting at which
6 constitutional amendments can be proposed or enacted.

7 NEW SECTION. **Sec. 7.** Captions used in this act are not any part
8 of the law.

9 NEW SECTION. **Sec. 8.** Sections 1 through 7 of this act are each
10 added to chapter 49.36 RCW.

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